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JAN 13 2009

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Office of Petitions  
USPTO  
Alexandria, VA 22313-1450

4-page fax +1 517 2738 300

09/554,464 "Shoulder- and neck holder"

Letter of Kenya A. McLaughlin from Office of Petitions, dated Dec. 19, 2008

Petition to revive the application under 37 CFR 1.137 (b).

My registered letter, dated 05/05, delivered to USPTO on 05/10

Examiner Anthony D. Barfield; Art Unit 3636

Notice of Abandonment, dated 04/23/2008, received 04/29/2008

Notice of Allowability

Dear Sirs,

2009-01-13

Thank you for giving me a chance for reviving the application.

The entire delay in filing the required drawings up to the deadline was unintentional.

I have already registered mailed twice on May 5 and Sept. 11 the amended and marked-up descriptions, replacement sheets, marked-up drawings, a set of drawings and credit card payment form, as stated by Mr McLaughlin in his letter.

USPTO has already charged me \$ 720 for the issue fee, noted in the Notice of Allowability, on Jan. 15, 2008.

The small-entity-required petition fee of \$ 810 is written in the enclosed credit card payment form.

Thank you very much for your help.

Kind regards

Go *Go giok djien*  
Go

Attached: credit card payment form, Petition for revival of an appl. ... under 37 CFR 1.137 (b).

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PTO/SB/64 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: DjienApplication No.: 09/554,464Art Unit: 3636Filed: Nov. 10, 1998Examiner: Anthony D.Title: Shoulder and neck holderBarfield

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- ☒ (1) Petition fee; ☒
- ☒ (2) Reply and/or issue fee;
- ☒ (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- ☒ (4) Statement that the entire delay was unintentional. ☒

**1. Petition fee**

☒ Small entity-fee \$ 810 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (identify type of reply):

☒ has been filed previously on May 5 and Sept 11, 2008  
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 720.00

☒ has been paid previously on Jan. 15, 2008  
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the  
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to  
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any  
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,  
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED  
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PAGE 2/4 \* RCVD AT 1/13/2009 12:38:25 AM [Eastern Standard Time] \* SVR:USPTO-EFXXRF-5/40 \* DNIS:2738300 \* CSID:+49 6126 226269 \* DURATION (mm:ss):01:30

PTO/SB/84 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

G. G. G. G.

Signature

01/13/2009

Date

G. G. G. G.

Typed or printed name

09/554,464

Registration Number, if applicable

Pfahlgrabenstr. 45

Address

+49 6126 8949

Telephone Number

65510 Idstein

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: Letter

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**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

01/13/2009

Date

G. G. G. G.

Signature

G. G. G. G.

Typed or printed name of person signing certificate

(Page 2 of 2)